

Message Text

CONFIDENTIAL

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ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

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FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 3745

INFO USMISSION BERLIN

USMISSION NATO BRUSSELS

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY LONDON

C O N F I D E N T I A L BONN 11010

E.O. 11652: GDS

TAGS: PFOR, WB, FR, UK, GW, US, UR

SUBJECT: REPLY TO SOVIET STATEMENT ON EXTENSION OF
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
TO BERLIN

REFS: (A) BONN 10704

(B) STATE 142485

(C) MOSCOW 8965

1. BRITISH, FRENCH, AND FRG REPS HAVE REPORTED THEIR
AUTHORITIES ALSO FAVORED RESPONDING TO SOVIET STATEMENT
ON EXTENSION TO BERLIN OF INTERNATIONAL COVENANT ON
CIVIL AND POLITICAL RIGHTS (REF C) AND DRAFT REPLY WAS
AGREED AD REFERENDUM FOR APPROVAL BY CAPITALS AT BONN
GROUP MEETING JULY 10. TEXT (BELOW) IN OUR VIEW MEETS
NEED TO REBUT SOVIET ATTEMPT TO LIMIT TYPES OF AGREE-
MENT WHICH CAN BE EXTENDED TO BERLIN (REF B).

BEGIN TEXT

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A. WITH REFERENCE TO YOUR ORAL COMMUNICATION OF 11 JUNE

1974 RELATING TO THE EXTENSION TO THE WESTERN SECTORS OF BERLIN OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, I HAVE BEEN INSTRUCTED BY THE AMERICAN AUTHORITIES TO INFORM YOU OF THE FOLLOWING:

B. THE AMERICAN AUTHORITIES WISH TO POINT OUT THAT THE PRIMARY PURPOSE OF THE INTERNATIONAL COVENANT IS THE PROTECTION OF THE RIGHTS OF THE INDIVIDUAL. THE AMERICAN AUTHORITIES DO NOT ACCEPT THAT THE CONTENT OF THE INTERNATIONAL COVENANT IS SUCH AS TO MAKE IT A TREATY AFFECTING SECURITY AND STATUS.

C. THE AMERICAN AUTHORITIES REAFFIRM THEIR EARLIER COMMUNICATION OF 3 APRIL ON THIS SUBJECT. AS HAS BEEN POINTED OUT ON THAT AND OTHER OCCASIONS, THE ALLIED KOMMANDATURA IN BERLIN TAKES ALL NECESSARY MEASURES, WITHIN THE FRAMEWORK OF THE ESTABLISHED PROCEDURES WHICH WERE REAFFIRMED IN THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971, TO ENSURE THAT AGREEMENTS AND ARRANGEMENT EXTENDED TO THE WESTERN SECTORS OF BERLIN CANNOT BE APPLIED THERE IN SUCH A WAY AS TO AFFECT MATTERS OF SECURITY AND STATUS. AS ALREADY INDICATED, SUCH STEPS WERE TAKEN IN CONNECTION WITH THE EXTENSION TO THE WESTERN SECTORS OF BERLIN OF THE INTERNATIONAL COVENANT.

D. THE EXTENSION OF THIS INTERNATIONAL COVENANT CONSEQUENTLY DOES NOT AFFECT MATTERS OF SECURITY AND STATUS, AND IS THUS NOT IN ANY WAY INCONSISTENT WITH THE QUADRIPARTITE AGREEMENT.

END TEXT

2. COMMENT AND ACTION REQUESTED. AS NOTED PARA 1 ABOVE, WE BELIEVE DRAFT REPLY SUFFICIENT WHILE MINIMIZING CHANCES OF STIMULATING SOVIET RETURN TO SUBJECT. RECOMMEND DEPARTMENT APPROVAL FOR IT. WE ASSUME THAT AS WITH MOST OTHER REPLIES TO SUCH SOVIET PROTESTS, ALLIED RESPONSES WOULD BE DELIVERED IN SAME FASHION AS PROTEST RECEIVED.
CASH

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